

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
VICTORIA DIVISION**

STATE OF TEXAS, *et al.*,

Plaintiffs,

v.

THE UNITED STATES OF
AMERICA, *et al.*,

Defendants.

Case No. 6:21-cv-00016

UNOPPOSED MOTION FOR LEAVE TO FILE AMICUS BRIEF

Prospective Amici FIEL Houston and the Refugee and Immigrant Center for Education and Legal Services (“RAICES”) respectfully request the Court’s permission to file a brief as amici curiae in opposition to Plaintiffs’ preliminary injunction motion, Dkt. 42. Prospective Amici were permitted to intervene in the related case regarding ICE’s 100-day removal pause, *Texas v. United States*, 6:21-cv-00003 (S.D. Tex.). They seek leave to file the attached brief to address Plaintiffs’ claims challenging ICE’s interim enforcement priorities. Prospective Amici respectfully submit that their brief will assist the Court in evaluating Plaintiffs’ claims, particularly in light of Amici’s experience with the statutory scheme at issue and its implementation in practice. Both parties have stated in writing that they do not oppose this motion.

Prospective Amicus FIEL Houston is a non-profit, immigrant-led civil rights organization based in Houston, Texas. FIEL is an acronym for Familias Inmigrantes y Estudiantes en la

Lucha (Immigrant Families and Students in the Struggle). FIEL Houston's mission includes empowering immigrant youth and their families through civic engagement, access to higher education, and advocacy for more just immigration policies.

FIEL has approximately 11,000 members, all based in the greater Houston area. Of those, about 7,000 members are undocumented, most of whom are DACA recipients. More than three quarters of FIEL's members are also part of mixed-status families, meaning that some family members have immigration status or U.S. citizenship and others are undocumented. FIEL provides legal, advocacy, and education services for its members. Some of these services include connecting members with attorneys to assist them with immigration matters such as deportation defense and conducting regular know-your-rights workshops advising members of their rights if they are questioned or detained by law enforcement or immigration officials.

FIEL has a profound interest in the prioritization of immigration enforcement. Greater certainty surrounding ICE's priorities decreases the uncertainty that many of FIEL's undocumented members face on a daily basis. Further, the priorities allow FIEL to target its legal and advocacy resources accordingly.

Prospective Amicus RAICES is a non-profit, nonpartisan organization, and its mission is to defend the rights of immigrants and refugees; empower individuals, families, and communities of immigrants and refugees; and advocate for liberty and justice. RAICES provides free and low-cost immigration legal services to underserved immigrant children, families, and individuals, as well as bond assistance and advocacy work. It is the largest immigration legal services provider in Texas and has offices in Austin, Corpus Christi, Dallas, Fort Worth, Houston, and San Antonio.

RAICES's legal department provides affirmative, defensive, and litigation services to

immigrants in removal proceedings and those who are not in removal proceedings. As a result, RAICES has an interest in which immigrants each administration prioritizes for detention and removal. RAICES relies on the priorities that administrations have issued for decades in order to guide immigration enforcement discretion in arguing for release from detention for certain clients and in working to prevent their removal.

Prospective Amici have a strong interest in the outcome of this litigation and respectfully submit that their perspective will aid this Court's deliberations. Accordingly, Prospective Amici respectfully request the Court's leave to file the attached brief.

Dated: May 19, 2021

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Respectfully submitted,

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**pro hac vice forthcoming*

CERTIFICATE OF COMPLIANCE WITH LOCAL CIVIL RULE 7

Prospective Amici conferred with Plaintiff's counsel prior to filing, and they do not oppose this motion.

/s/Kathryn Huddleston
Kathryn Huddleston

CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the foregoing via the Court's ECF filing system.

/s/Kathryn Huddleston
Kathryn Huddleston